

Christine M. LaPinta, Esq. (SBN 225990)  
 Trevor B. Potter, Esq. (SBN 265287)  
 SELTZER CAPLAN McMAHON VITEK  
 A Law Corporation  
 750 B Street, Suite 2100  
 San Diego, California 92101-8177  
 Telephone: (619) 685-3003  
 Facsimile: (619) 685-3100  
 E-Mail: lapinta@scmv.com  
 potter@scmv.com

Attorney for Defendant WHIRLPOOL  
 CORPORATION

**UNITED STATES DISTRICT COURT  
 FOR THE CENTRAL DISTRICT OF CALIFORNIA**

CELEBRITY CHEFS TOUR, LLC,  
 a California limited liability company;  
 and PROMARK PRODUCTIONS, LLC,  
 a California limited liability company,

Plaintiffs,

v.

MACY'S, INC., a Delaware corporation;  
 WHIRLPOOL CORPORATION, a  
 Delaware corporation; LEC Media, LLC.,  
 an Illinois limited liability company;  
 EXECUTIVE PROGRAM SERVICES,  
 INC., a Washington corporation;  
 JACK O'DONNELL, an individual;  
 SCOTT DUMMLER, an individual;  
 DEVIN ALEXANDER, INC., a  
 California corporation; DEVIN  
 ALEXANDER, a.k.a. RENEE SIMONE,  
 an individual; and DOES 1 through 100,  
 inclusive,

Defendants.

Case No. CV13-04438-JAK-VBK

**WHIRLPOOL CORPORATION'S  
 NOTICE OF MOTION AND MOTION  
 TO DISMISS PLAINTIFFS'  
 COMPLAINT PURSUANT TO FRCP  
 12(B)(6)**

Date: November 18, 2013  
 Time: 8:30A.M.  
 Dept.: 750 – 7<sup>TH</sup> Floor  
 Judge: Hon. John A. Kronstadt

Complaint Filed: June 19, 2013  
 Trial Date: None set

1 TO PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on November 18, 2013, at 8:30 a.m., or as soon  
 3 thereafter as the matter may be heard, in the courtroom of the Honorable John A.  
 4 Kronstadt, Department 750 – 7<sup>th</sup> Floor, of the above-entitled court, located at 255 East  
 5 Temple Street, Los Angeles, California, 90012-3332, Defendant Whirlpool Corporation  
 6 (“Whirlpool”) will move this Court to Dismiss each and every cause of action asserted  
 7 in Plaintiffs Celebrity Chefs Tour, LLC’s and Promark Productions, LLC’s (collectively  
 8 “Plaintiffs”) Complaint pursuant to Federal Rule of Civil Procedure 12(B)(6) because  
 9 Plaintiffs’ Complaint does not contain facts sufficient to state a claim for relief against  
 10 Whirlpool that is “plausible on its face” and Plaintiffs do not and cannot state any  
 11 plausible claim against Whirlpool.

12 This Motion will be based upon this Notice of Motion and Motion, Whirlpool’s  
 13 Memorandum of Points and Authorities in Support of Motion to Dismiss filed herewith,  
 14 Whirlpool’s Request for Judicial Notice filed herewith, the pleadings submitted in the  
 15 above-entitled action, the papers and records on file herein and upon such oral and  
 16 documentary evidence as may be presented at the hearing on this matter.

17  
 18 Dated: September 3, 2013

19 SELTZER CAPLAN McMAHON VITEK  
 20 A Law Corporation

21  
 22 By: /s/ Christine M. LaPinta, Esq.

23 Christine M. LaPinta, Esq.

24 Trevor B. Potter, Esq.

25 Attorneys for Defendant WHIRLPOOL  
 26 CORPORATION  
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